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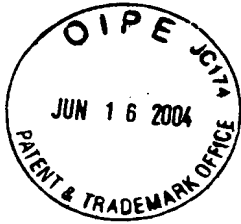
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Docket No.: 217047US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/926,738

Applicants: Giovanni COLOMBO, et al.

Filing Date: December 11, 2001

Allowed Date: January 2, 2004

For: USE OF THIAMPHENICOL AND DERIVATIVES
THEREOF FOR THE PREPARATION OF
PHARMACEUTICAL COMPOSITIONS USEFUL IN
THE TREATMENT OF CHLAMYDIA
PNEUMONIAE INFECTIONS

Group Art Unit: 1614

Examiner: Kevin Weddington

SIR:

Attached hereto for filing are the following papers:


**2nd Petition Under 37 C.F.R. 1.181; Copy of PTO Cover Letter, Petition Under 37 C.F.R. 1.181
and Date-stamped Filing Receipt filed 1-28-04; Copy of Information Disclosure Statement, PTO
Form 1449 and Date-stamped Filing Receipt filed 2-6-02**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon


Thomas M. Cunningham
Registration No. 45,394

Customer Number

22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)



DOCKET NO: 217047US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
GIOVANNI COLOMBO, ET AL. : EXAMINER: K. WEDDINGTON
SERIAL NO: 09/926,738 : ALLOWED DATE: JANUARY 2, 2004
FILED: DECEMBER 11, 2001 : GROUP ART UNIT: 1614
FOR: USE OF THIAMPHENICOL AND :
DERIVATIVES THEREOF FOR THE
PREPARATION OF PHARMACEUTICAL
COMPOSITIONS USEFUL IN THE
TREATMENT OF CHLAMYDIA
PNEUMONIAE INFECTIONS

2ND PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to:

1. Locate, enter and consider their Petition under 37 C.F.R. §1.181 filed January 28, 2004; and
2. Provide written acknowledgement that the information disclosure statement filed February 6, 2002 has been considered.

The Applicants submitted a Petition under 37 C.F.R. §1.181 on January 28, 2004 to request consideration of the February 6, 2002 information disclosure statement. However, the PAIR system does not indicate that this Petition was entered. A copy of this petition and its date-stamped filing receipt are attached.

Application No. 09/926,738
Reply to Office Action of

The Applicants respectfully request their previous petition be entered and granted and that the application be directed back to the Examiner for consideration of the information disclosure statement of February 6, 2002.

The Applicants do not believe that any petition fee is due. However, in the event that any variance exists between the required petition fee and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

A handwritten signature in black ink, appearing to read 'Thomas M. Cunningham', written over a horizontal line.

Thomas M. Cunningham
Attorney of Record
Registration No.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Docket No.: 217047US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/926,738

Applicants: Giovanni COLOMBO, et al.

Filing Date: December 11, 2001

Allowed Date: January 2, 2004

For: USE OF THIAMPHENICOL AND DERIVATIVES
THEREOF FOR THE PREPARATION OF
PHARMACEUTICAL COMPOSITIONS USEFUL IN
THE TREATMENT OF CHLAMYDIA
PNEUMONIAE INFECTIONS

Group Art Unit: 1614

Examiner: Kevin Weddington

COPY

SIR:

Attached hereto for filing are the following papers:

Petition Under 37 C.F.R. 1.181; Copy of Date-stamped Filing Receipt, Information Disclosure Statement and PTO Form 1449 filed February 6, 2002

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Norman F. Oblon

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Thomas M. Cunningham
Registration No. 45,394

COPY

DOCKET NO: 217047US0PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF :
GIOVANNI COLOMBO, ET AL. : EXAMINER: KEVIN WEDDINGTON
SERIAL NO: 09/926,738 : ALLOWED DATE: JANUARY 2, 2004
FILED: DECEMBER 11, 2001 : GROUP ART UNIT: 1614
FOR: USE OF THIAMPHENICOL AND :
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COMPOSITIONS USEFUL IN THE
TREATMENT OF CHLAMYDIA
PNEUMONIAE INFECTIONS

PETITION UNDER 37 C.F.R. 1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to match the Information Disclosure Statement filed on February 6, 2002 with this allowed application and make this application available to the Examiner for consideration of this Information Disclosure Statement.

The Applicants notified Examiner Weddington on January 22, 2003 that they would file a Petition to direct the application back to him for consideration of the above-mentioned Information Disclosure Statement and return of an initialed and signed copy of Form 1449. Accordingly, the Applicants now petition for the return of written acknowledgment that this information disclosure statement has been considered. For the convenience of the Examiner a copy of the previously-filed Information Disclosure Statement and the date-stamped filing receipt is attached to this petition.

Applicants do not believe that any petition fee is due. However, in the event any variance exists between the required petition fees and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

Norman F. Oblon
Attorney of Record
Registration No. 24,618

Thomas M. Cunningham
Registration No. 45,394

Dept.: Chemical
By: NFO/TMC/krs

OSMM&N File No. 217047US0PC

Serial No. 09/926,738

In the matter of the Application of: Giovanni COLOMBO, et al.

For: USE OF THIAMPHENICOL AND DERIVATIVES THEREOF FOR THE
PREPARATION OF PHARMACEUTICAL COMPOSITIONS USEFUL IN
THE TREATMENT OF CHLAMYDIA PNEUMONIAE INFECTIONS

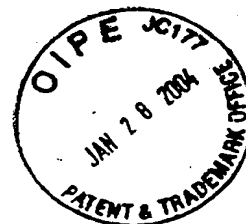
Due Date: n/a



COPY

The following has been received in the U.S. Patent Office on the date stamped her

- Dep. Acct. Order Form
- PTO Cover Letter
- Petition Under 37 C.F.R. 1.181
- Copy of Date-stamped Filing Receipt, Information Disclosure Statement and I Form 1449 filed February 6, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Giovanni COLOMBO, et al.

SERIAL NO: 09/926,738

GAU:

FILED: December 11, 2001

EXAMINER:

FOR: USE OF THIAMPHENICOL AND DERIVATIVES THEREOF FOR THE PREPARATION OF PHARMACEUTICAL COMPOSITIONS USEFUL IN THE TREATMENT OF CHLAMYDIA PNEUMONIAE INFECTIONS



INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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Surinder Sachar

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COPY

SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 217047US0PCT		SERIAL NO. 09/926,738	
LIST OF REFERENCES CITED BY APPLICANT <div style="border: 1px solid black; border-radius: 50%; padding: 10px; width: 100px; text-align: center; margin: 0 auto;"> RECEIVED JUN 16 2004 PATENT & TRADEMARK OFFICE </div>				APPLICANT Giovanni COLOMBO, et al.			
				FILING DATE December 11, 2001		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
AA							
AB							
AC							
AD							
AE							
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AN							
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	00 01378	01/13/00	WO		No	
	AP						
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	Alessandra LOMBARDI et al.: "Antimicrobial activity of thiamphenicol-gycinate-acetylcysteinate and other drugs against Chlamydia pneumoniae" ARZEIMITTEL-FORSCHUNG, vol. 51, no. 3, pages 264-267 2001					
	AX	F. BLASI: "Clinical featrus of chlamydia pneumoniae acute respiratory infection" CLINICAL MICROBIOLOGY AND INFECTION, vol. 1, no. 1, pages s14-s18 03/01/96					
	AY						
	AZ					<input type="checkbox"/> Additional References sheet(s) attached	
Examiner				Date Considered			
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



COPY

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98 Rec'd PCT/PTO 06 FEB 2002

Expt.: NFO/smp FF

OSMM&N File No. 217047US0PCT

Due Date: 03/11/02

Serial No. 09/926,738

In the matter of the Application of: Giovanni COLOMBO, et al.

For: USE OF THIAMPHENICOL AND DERIVATIVES THEREOF FOR THE
PREPARATION OF PHARMACEUTICAL COMPOSITIONS USEFUL IN THE
TREATMENT OF CHLAMYDIA PNEUMONIAE INFECTIONS

The following has been received in the U.S. Patent Office on the date stamped hereon:

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|---|---|---------------------------------|
| <input type="checkbox"/> pp. Specification | <input type="checkbox"/> Claims/Drawings | <input type="checkbox"/> Sheets |
| <input type="checkbox"/> and Pages Application Data Sheet | | |
| <input type="checkbox"/> Combined Declaration, Petition & Power of Attorney | <input type="checkbox"/> pages | |
| <input type="checkbox"/> List of Inventor Names and Addresses | | |
| <input type="checkbox"/> Utility Patent Application Transmittal | <input type="checkbox"/> CPA | |
| <input type="checkbox"/> Notice of Priority | <input type="checkbox"/> Priority Doc | |
| <input type="checkbox"/> Check for | <input checked="" type="checkbox"/> Dep. Acct. Order Form | |
| <input type="checkbox"/> Fee Transmittal Form | | |
| <input type="checkbox"/> Assignment/PTO 1595 pages: | | |
| <input type="checkbox"/> Letter to Official Draftsman | | |
| <input type="checkbox"/> Letter Requesting Approval of Drawing Changes | | |
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| <input type="checkbox"/> Letter | | |
| <input type="checkbox"/> Amendment | | |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input checked="" type="checkbox"/> PTO-1449 | |
| <input checked="" type="checkbox"/> Cited References (3) | | |
| <input checked="" type="checkbox"/> International Search Report | | |
| <input type="checkbox"/> Statement of Relevancy | <input type="checkbox"/> Cited Pending Applications | |
| <input type="checkbox"/> IDS/Related/List of Related Cases | <input type="checkbox"/> Election Response | |
| <input type="checkbox"/> Restriction Response | | |
| <input type="checkbox"/> Rule 132 Declaration | | |
| <input type="checkbox"/> Petition for Extension of Time | | |
| <input type="checkbox"/> Notice of Appeal | | |
| <input type="checkbox"/> Brief | | |
| <input type="checkbox"/> Issue Fee Transmittal | | |
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